J1064 U.S. PTO
03/06/01

3-08-01

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Please type a plus sign (+) inside this box [+]

PTO/SB/05 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

09/800932 U.S. PTO
03/06/01

Attorney Docket No. 74451.P127D1
(maximum 12 characters)
First Named Inventor Edward L. Schwartz, et al.
Title: "METHOD AND APPARATUS FOR PERFORMING PROGRESSIVE ORDER CONVERSION"

Express Mail Label No. EL672748307US

ADDRESS TO: **Assistant Commissioner for Patents**
Box Patent Application
Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. [X] **Fee Transmittal Form (e.g., PTO/SB/17)**
(Submit an original, and a duplicate for fee processing)

2. [] **Applicant Claims Small Entity Status. (37 CFR 1.27)**

3. [X] **Specification (Total Pages 92)**
(preferred arrangement set forth below)
- Descriptive Title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. [X] **Drawings(s) (35 USC 113) (Total Sheets 26)**

5. [X] **Oath or Declaration (Total Pages 5)**

a. [] Newly Executed (Original or Copy)

b. [] Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 17 completed)

i. [] DELETIONS OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

c. [] Unsigned.

6. [] **Application Data Sheet. (37 CFR 1.76)**

7. [] CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. [] Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. [] Computer Readable Form (CRF)
b. [] Specification Sequence Listing on:
i. [] CD-ROM or CD-R (2 copies); or
ii. [] paper
c. [] Statement verifying identity of above copies

EL672748307US

ACCOMPANYING APPLICATION PARTS

9. _____ **Assignment Papers (cover sheet & documents(s))**
10. _____ a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
_____ b. Power of Attorney
11. _____ English Translation Document (if applicable)
12. _____ a. Information Disclosure Statement (IDS)/PTO-1449
_____ b. Copies of IDS Citations
13. _____ **Preliminary Amendment**
14. __X__ **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15. _____ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. __X__ **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
17. _____ Other: _____

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

___ **Continuation** __X__ **Divisional** ____ **Continuation-in-part (CIP)**
Of Prior Application No.: Not yet assigned Examiner not assigned Group Art Unit not assigned
(which is a ___ continuation/ ___ divisional/ ___ CIP of prior application no. _____,
which is a ___ continuation/ ___ divisional/ ___ CIP of prior application no. _____) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:
The undersigned states that _____ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. _____ Frame No. _____ (or a copy of which is attached).

19. Correspondence Address

_____ Customer Number or Bar Code Label _____
or (Insert Customer No. or Attach Bar Code Label here)
__X__ Correspondence Address Below

NAME Michael J. Mallie
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
ADDRESS 12400 Wilshire Boulevard
Seventh Floor
CITY Los Angeles STATE California ZIP CODE 90025-1026
Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-9397

Name (PRINT/TYPE): Michael J. Mallie Registration No.: 36,591
Signature: _____ Date: March 6, 2001

PTO/SB/35(11-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

First Named Inventor Edward L. Schwartz
Title METHOD AND APPARATUS FOR PERFORMING PROGRESSIVE ORDER CONVERSION

Attorney Docket No. 74451.P127D1

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

March 6, 2001
Date

Signature

Michael J. Mallie
Typed or Printed Name

36,591
Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Send to: Assistant Commissioner for Patents, Washington, D.C. 20231

PTO/SB/17(11-00)
Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL FOR FY 2001

TOTAL AMOUNT OF PAYMENT ($) 790.00

Complete if Known:
Application No. Not yet assigned
Filing Date Not yet assigned
First Named Inventor Edward L. Schwartz
Group Art Unit Not yet assigned
Examiner Name Not yet assigned
Attorney Docket No. 74451.P127D1

METHOD OF PAYMENT (check one)

1. [X] **The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:**

Deposit Account Number 02-2666
Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

[X] **Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17**

[] **Applicant claims small entity status. See 37 CFR 1.27**

2. X **Payment Enclosed:** X **Check**
_____ **Credit Card**
_____ **Money Order**
_____ **Other**

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
101	710	201	355	Utility application filing fee	710.00
106	320	206	160	Design application filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional application filing fee	

SUBTOTAL (1) $ 710.00

2. EXTRA CLAIM FEES

		Extra Claims		Fee from below		Fee Paid
Total Claims	20	– 20** =	0	X 18.00	=	0
Independent Claims	4	– 3** =	1	X 80.00	=	80.00
Multiple Dependent					=	

**Or number previously paid, if greater; For Reissues, see below.

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) $ 80.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
195	300	195	300	Publication fee for early, voluntary, or normal publication	
196	300	196	300	Publication fee for republication	
194	130	194	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(i)	
091	1,240	091	1,240	Acceptance of unintentionally delayed claim for priority	

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) $ 0

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Michael J. Mallie

Signature: _____ Date: March 6, 2001

Reg. Number: 36,591 Telephone Number: 408-720-8300

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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